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9 The Board of Trustees of The Leland Stanford Junior
10 University

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

11 The Board of Trustees of The Leland Stanford
12 Junior University,
13 Plaintiff,
14 v.
15 Stanford Financial Group Company and Stanford
16 Group Company,
17 Defendants.

No. 3:08-cv-04950 CRB

**STIPULATION AND [PROPOSED]
ORDER CONTINUING HEARING
DATES ON PENDING MOTIONS
FROM MARCH 20, 2009 TO MAY 22,
2009 AND SETTLEMENT
CONFERENCE FROM MARCH 12,
2009 TO MAY 11, 2009**

Pending Motions:
Existing Date: March 20, 2009
Stipulated Date: May 22, 2009
Time: 10:00 a.m.
Ctrm: 8

Hon. Charles R. Breyer

Settlement Conference:
Existing Date: March 12, 2009
Stipulated Date: May 11, 2009
Time: 9:00 a.m.
Ctrm: G

Magistrate Judge Bernard Zimmerman

25 Pursuant to Civil L.R. 7-7(a) and the Court's Standing Order, all parties to this action, by
26 and through their respective counsel or record, hereby stipulate as follows:

27 On February 17, 2009, the Securities and Exchange Commission (the "SEC") filed a
28 complaint in the United States District Court for the Northern District of Texas alleging

Case No. 3:08-cv-04950 CRB

1 securities fraud against defendant Stanford Group Company ("Stanford Group") and related
2 companies and persons, including Stanford International Bank, Ltd., Stanford Capital
3 Management, LLC, R. Allen Stanford, James M. Davis, and Laura Pendegest-Holt. The SEC
4 also filed (1) a motion for temporary restraining, order freezing assets, order requiring an
5 accounting, order requiring preservation of documents and order authorizing expedited discovery
6 and (2) a motion to appoint a receiver. That same day, the District Court granted the temporary
7 restraining order (attached hereto as Exhibit A) and entered an order appointing a receiver
8 (attached hereto as Exhibit B).

9 In view of the temporary restraining order and the order appointing a receiver,
10 Defendants Stanford Financial Group Company ("Stanford Financial") and Stanford Group have
11 requested that the existing hearing dates in this matter be continued to allow the receiver time to
12 determine how it wishes to proceed. Plaintiff The Board of Trustees of The Leland Stanford
13 Junior University concurs with this request, and the parties wish to schedule a status conference
14 with the Court in approximately 30 days to report on the case status. Specifically, the hearing
15 date of Defendants' five pending motions and the scheduled settlement conference would be
16 continued for approximately sixty days so that the receiver has adequate time to consider how it
17 wishes to proceed in this case on behalf of the Defendants. Additionally, the Court would
18 schedule a Case Management Conference for March 20, 2009, with a Joint Case Management
19 Conference Statement due by March 13, 2009. The parties will update the Court as to the status
20 of the SEC action and the receivership, and discuss how they suggest the case should proceed.

21 NOW THEREFORE, IT IS SO STIPULATED between the parties that there is good
22 cause for the Court to enter an order resetting the hearing dates for Stanford Financial Group
23 Company's Motion to Dismiss in Part for Lack of Personal Jurisdiction (Doc. No. 57), Stanford
24 Group Company's Motion to Dismiss the First Amended Complaint For Failure to State a Claim
25 on Which Relief Can be Granted (Doc. No. 62), Stanford Financial Group Company's Motion for
26 Judgment on the Pleadings and to Dismiss the First Amended Complaint (Doc. No. 66), Stanford
27 Financial Group Company's Motion to Dismiss a Portion of the First Amended Complaint for
28 Lack of Subject-Matter Jurisdiction (Doc. No. 74), and Stanford Financial Group Company's

1 Motion for Partial Summary Judgment (Doc. No. 80), which are all currently set for March 20,
2 2009, to **May 22, 2009**, with opposition and reply dates to run from the later, re-scheduled date
3 pursuant to Civil L.R. 7-3.

4 IT IS FURTHER STIPULATED that a Case Management Conference be scheduled on
5 March 20, 2009, with a Joint Case Management Conference Statement due by March 13, 2009.

6 IT IS FURTHER STIPULATED that the Settlement Conference before Magistrate Judge
7 Bernard Zimmerman, which is currently set for March 12, 2009, be re-scheduled to a date
8 available to Magistrate Judge Zimmerman, approximately on or about **May 11, 2009**.

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10 DATED: February 19, 2009

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12 Bingham McCutchen LLP

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By: /s/ William F. Abrams

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William F. Abrams
Bingham McCutchen LLP

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Attorneys for Plaintiff
The Board of Trustees of The Leland
Stanford Junior University

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DATED: February 19, 2009

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Dillingham & Murphy LLP

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By: /s/ William F. Murphy

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William F. Murphy
Dillingham & Murphy, LLP

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Curtis, Mallet-Prevost, Colt & Mosle LLP

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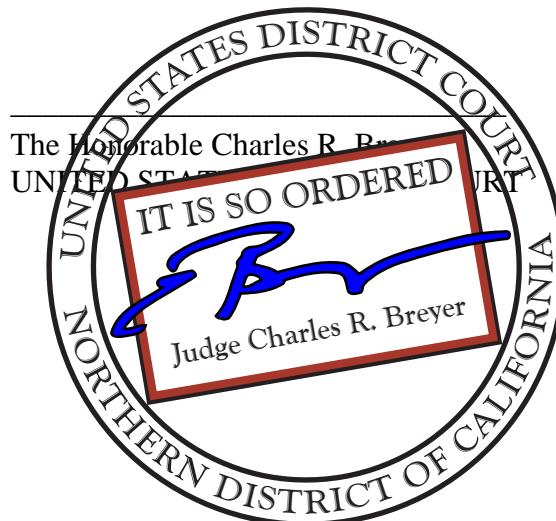
Attorneys for Defendants Stanford
Financial Group Company and Stanford
Group Company

1 **NOW THEREFORE, IT IS HEREBY ORDERED THAT** Stanford Financial Group
2 Company's Motion to Dismiss in Part for Lack of Personal Jurisdiction (Doc. No. 57), Stanford
3 Group Company's Motion to Dismiss the First Amended Complaint For Failure to State a Claim
4 on Which Relief Can be Granted (Doc. No. 62), Stanford Financial Group Company's Motion for
5 Judgment on the Pleadings and to Dismiss the First Amended Complaint (Doc. No. 66), Stanford
6 Financial Group Company's Motion to Dismiss a Portion of the First Amended Complaint for
7 Lack of Subject-Matter Jurisdiction (Doc. No. 74), and Stanford Financial Group Company's
8 Motion for Partial Summary Judgment (Doc. No. 80), set for hearing on March 20, 2009, are re-
9 scheduled for hearing at 10:00 a.m. in Courtroom 8 on **May 22, 2009**, with opposition and reply
10 deadlines to be based on the re-scheduled date.

11 **IT IS FURTHER ORDERED THAT** a Case Management Conference is set for 8:30
12 a.m. in Courtroom 8 on **March 20, 2009**. The parties are ordered to file a Joint Case
13 Management Conference Statement by **March 13, 2009**.

14 **IT IS FURTHER ORDERED THAT** the Settlement Conference before Magistrate
15 Judge Bernard Zimmerman, which is currently set for March 12, 2009, is re-scheduled for **May**
16 **11, 2009**, at 9 a.m. in Courtroom G, or for such other date as may be available and convenient to
17 the Magistrate Judge, the parties and their counsel prior to May 22, 2009.

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20 DATED: February 20, 2009
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1 **ATTESTATION PURSUANT TO GENERAL ORDER 45**

2 I, William F. Abrams, attest that concurrence in the filing of this document has been
3 obtained from any signatories indicated by a "conformed" signature (/s/) within this e-filed
4 document.

5 I declare under penalty of perjury under the laws of the United States of America that the
6 foregoing is true and correct.

7 Executed this 19th day of February, 2009, at East Palo Alto, California.

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9 DATED: February 19, 2009

BINGHAM MCCUTCHEN LLP

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By: _____ /s/ William F. Abrams

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William F. Abrams

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Bingham McCutchen LLP

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Attorneys for Plaintiff

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The Board of Trustees of The Leland Stanford

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Junior University

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PROOF OF SERVICE

I hereby certify that on February 19, 2009, I caused a true and correct copy of the document entitled STIPULATION AND [PROPOSED] ORDER CONTINUING HEARING DATES ON PENDING MOTIONS FROM MARCH 20, 2009 TO MAY 22, 2009 AND SETTLEMENT CONFERENCE FROM MARCH 12, 2009 TO MAY 11, 2009, to be electronically filed in accordance with Civil L.R. 5-5(b) and General Order No. 45.

Accordingly, all counsel of record who are deemed to have consented to electronic service were served with true and correct copies of the above documents via the Court's CM/ECF system. All counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the above document via U.S. Mail, addressed as follows:

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DATED: February 19, 2009

/s/ William F. Abrams

William F. Abrams